



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: R. Weinstein
SERIAL NO.: 10/082,682
FILED: February 25, 2002
EXAMINER: Erick Rekstad
DOCKET NO.: SENT 9357US
GROUP ART UNIT: 2613
FOR: Method And System For Remote
Wireless Video Surveillance

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 15, 2005.

J. Joseph Muller
J. Joseph Muller, Reg. No. 28,450

Sept. 15, 2005
Date of Signature

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 15, 2005
St. Louis, Missouri

DECLARATION OF RICHARD D. WEINSTEIN UNDER 37 C.F.R 1.131

The below-signed person skilled in the art, subject to penalties of perjury, does hereby declare and state as follows:

1. I was awarded a Bachelor of Science Degree in Business Administration and Management from the University of Missouri in 1974.
2. I have 27 years experience in the electronics industry. In particular, I have experience in the field of telecommunications and have built a nationwide fiber optics network. I also have experience in the design, engineering, and development of covert and overt video surveillance platforms such as that shown and described in U.S. patent

application Serial No. 10/082,682 (U.S. Publication No. 200310163826), the present application.

3. I have worked for such companies as Sentrus, Inc., Digital Teleport, Inc. and Digital Teleresources, Inc. I am currently president of Sentrus, Inc., the assignee of the present application.

4. I am familiar with patents and the United States patent application process. I am the sole named inventor for pending U.S. patent application having U.S. Serial No. 10/082,682 (U.S. Publication No. 200310163826).

5. I have reviewed the specification, drawings and claims for application U.S. Serial No. 10/082,682.

6. I have reviewed the Examiner's comments in the office action of June 16, 2005, regarding purported obviousness of Claims 1, 2, 3, 5, 7 and 8 by U.S Patent Publication No. 2003/0035386 ("the *Sullivan* reference").

7. I have read and considered the *Sullivan* reference, which has an earliest effective priority date of May 11, 2001.

8. With regard to the *Sullivan* reference, I submit the following statements and Exhibits 1-16. These statements and exhibits collaborate my prior invention date with respect to the priority date of the *Sullivan* reference and subsequent due diligence in the reduction of practice of my invention.

9. To my knowledge and belief, Exhibit 1 contains concept development notes of the invention, these notes were created on or around January 1, 2001.

10. Exhibit 2 contains an electronic correspondence with Martin Coyne of Motorola. The electronic correspondence pertains to a follow up correspondence

regarding a meeting held between myself, Martin Coyne and others to discuss purchasing Motorola developed wireless telecommunications services to end users, including Internet access, known as the Motorola product "WISP".

11. To my knowledge and belief, Exhibit 3 contains calendar entries relating to conference calls with Motorola and meeting with Motorola. The calendar dates for the conference calls were: April 16, 2001; April 26, 2001; May 22, 2001; May 23, 2001; June 8, 2001; June 21, 2001, June 27, 2001, June 28, 2001 and July 6, 2001. The Motorola meeting date was June 11, 2001.

12. To my knowledge and belief, Exhibit 4 contains a concept drawing for the platform created on or around April 1, 2001.

13. To my knowledge and belief, Exhibit 5 contains an initial purchase agreement (the "Agreement"), created on or around April 26, 2001, between Motorola and I. The Agreement pertained to initial purchase terms for the WISP equipment.

14. To my knowledge and belief, Exhibit 6 contains purchase conditions, created on or around June 8, 2001, for the Agreement..

15. To my knowledge and belief, Exhibit 7 contains Exhibit A, created on or around June 10, 2001, relating to the purchase conditions of Exhibit 6 for the Agreement.

16. To my knowledge and belief, Exhibit 8 contains drafts of a formal Master Purchase Agreement, created on or around July 5, 2001, between Motorola and I for purchase of the WISP equipment.

17. Exhibit 9 contains the executed copy of the Master Purchase Agreement of Exhibit 8 dated August 31, 2001 and September 13, 2001.

18. To my knowledge and belief, Exhibit 10 contains the September 9, 2001 receipt of the video codec

19. To my knowledge and belief, Exhibit 11 contains a copy of the September 4, 2001 shipping receipt of the prototype RF boards sent from Motorola.

20. To my knowledge and belief, Exhibit 12 contains photographic pictures of the received prototype RF boards sent from Motorola on September 4, 2001.

21. To my knowledge and belief, Exhibit 13 contains a copy of the initial draft order, created on or around September 17, 2001, to Motorola titled "DTR Initial 100 Unit Order Configuration".

22. To my knowledge and belief, Exhibit 14 contains a copy of the September 28, 2001 shipping receipt of the miniature video codec sent from Motorola.

23. To my knowledge and belief, Exhibit 15 contains photographs, created on or around October 10, 2001, of the completed Freedom One™ prototype, miniature unit.

24. To my knowledge and belief Exhibit 16 contains a proposed vetting demonstration prepared for the U.S. Department of Justice on or around October 21, 2001. This demonstration was not presented to the U.S. Department of Justice.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under §1001 of

Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the instant application or any patent issued thereon.

Dated: September 12, 2005


Richard D. Weinstein